

**FW: NPDES MAR101006 Wampanoag Tribe of Gay Head / Aquinnah - TMDL**

Knapp, Michael

Fri 4/19/2019 2:57 PM

To: Schena, Cristeen &lt;Schena.Cristeen@epa.gov&gt;

Cc: Warner, Suzanne &lt;Warner.Suzanne@epa.gov&gt;

Cris,

This is the other requester seeking the SWPP mentioned in my previous email. Please enter this as a FOIA request as well.

Thanks!

Mike

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Michael Knapp  
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Boston, Massachusetts 02109  
617-918-1053

**From:** Megan Sargent <[m.ottens.sargent@gmail.com](mailto:m.ottens.sargent@gmail.com)>**Sent:** Monday, April 08, 2019 10:50 AM
**To:** Murphy, Thelma (Hamilton) <[murphy.thelma@epa.gov](mailto:murphy.thelma@epa.gov)>; Warner, Suzanne  
<[Warner.Suzanne@epa.gov](mailto:Warner.Suzanne@epa.gov)>; Handler, Neil <[Handler.Neil@epa.gov](mailto:Handler.Neil@epa.gov)>
**Subject:** Re: NPDES MAR101006 Wampanoag Tribe of Gay Head / Aquinnah - TMDL

Good morning Suzanne-

Please email me the other application materials submitted by the Tribe.

I understand that you are busy, and that this is not a major development project but it is important for my community to know about the process and the potential impacts to resources. As mentioned in my previous email, there are concerns with the NOI with regard to accuracy.

It would be helpful to know if these are concerns for the EPA.

The building was not an historic structure so perhaps that is why it was not mentioned.

Info regarding cultural resources- historic & archeological- would be great to have. Who would I contact to find out about that?

I am hoping you will send the proposal that was submitted with the NOI, with a plan showing wetlands, etc. I would also like to see the SWPPP & any other supplemental materials.

I imagine this is public information.

Thank you-

Megan

Megan Ottens-Sargent

508-645-2776

508-560-7911c

On Thu, Apr 4, 2019 at 3:52 PM Megan Sargent <[m.ottens.sargent@gmail.com](mailto:m.ottens.sargent@gmail.com)> wrote:

Hi again - according to the Water Resource planner, here is info on the STMDL:

"MEP found the TMDL for Menemsha is 0.35 mg/L which the main basin is meeting according to the data we have collected over the past 2 years Nashaquitsa and Stonewall are not there yet.

MEP found the Squibnocket TMDL to be 0.50 mg/L"

I will ask DEP if this is the final, official TMDL for Squibnocket.

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Megan Ottens- Sargent

508 645 2776 | 508 560 7911c

[www.sargentgallery.org](http://www.sargentgallery.org)

On Thu, Apr 4, 2019 at 3:24 PM Megan Sargent <[m.ottens.sargent@gmail.com](mailto:m.ottens.sargent@gmail.com)> wrote:

Here is a link to the final MEP report on Squibnocket Pond - the MVC just sent it to me, coincidently.

<https://mail.google.com/mail/ca/u/0/#inbox/jrjtXRHgDBQKpQrZkxQHxPZKbdTPbPMwDwXhDPVwvsRpkrtwTRJGgPNNmhqgdHNJRpkhntMV?projector=1&messagePartId=0.1>

You will find the TMDL in there - I will look through it now and share the specifics.

I hope this is helpful.

Best,

Megan

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Megan Ottens- Sargent

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On Thu, Apr 4, 2019 at 3:20 PM Megan Sargent <[m.ottens.sargent@gmail.com](mailto:m.ottens.sargent@gmail.com)> wrote:

Hi Neil and Suzanne - Here is an aerial view from an article in today's Vineyard Gazette that shows the actual development / excavation to date on the lands of the Wampanoag Tribe of Gay Head / Aquinnah that the NOI is based on.

<https://vineyardgazette.com/news/2019/04/03/amid-legal-wrangles-over-bingo-hall-aquinnah-hires-boston-attorney>

The address is not 20 Black Brook Road it is:  
540 & 510 State Road (aka South Road), Wampanoag Tribe of Gay Head / Aquinnah - Aquinnah, MA 02535.

I think abutting lots to these two may also be in the project area, as the map shows.

map link - <http://bit.ly/2Vo4C4C>

You will see that the map link includes GIS layers for wetlands delineated @2007 as well as the outline (in magenta) of the house that was demolished on lot 5 abutting State Road.

This allows you to see where the major excavation occurred by comparing it to the aerial photo from the VG article.

As I mentioned on the phone to Neil - the NOI is not accurate. The question: "Will there be any demolition of a structure built or renovated before Jan. 1, 1980?" was answered "No" by the applicant.

There was a house there - and I saw it being demolished a few weeks ago.

You will also see that the overlay shows the existence of a structure on lot 5.

This was the former owner, Sally Wiener's house.

There also is a field card at the Aquinnah Board of Assessors showing the Wiener house was built in 1956.

In my view, this question should have been answered "yes" - unless I am missing something with regard to exemptions, etc.

Another question: was the septic system disposed of properly?

The development is in the Menemsha Pond / Squibnocket watershed. Is this a concern - especially when Squibnocket is impaired?

I am looking into whether the MEP report - MASS Estuaries Project - is complete for the Menemsha Pond / Squibnocket Pond system. The interim/draft report has been out for a year or two, noting that Squibnocket suffers from nitrogen loading caused more by groundwater and streams rather than septic systems as there is little residential development around the Squibnocket watershed. Atmospheric N also plays a role.

I will see if there is an official TMDL for the Squibnocket watershed and let you know ASAP.

Again, the TMDL for the Squibnocket watershed may not be relevant to this EPA permit.

The NOI refers only to BLACK BROOK, a small freshwater stream, with regard to a TMDL.

The applicant states, accurately I believe, that there is no TMDL for Black Brook.

Sorry Neil in taking a bit longer to get this to you. I wanted to include enough info with the hope that you can answer my questions and address my concerns.

I hope to receive the other application materials you said you would send me, Suzanne.

Thank you, and please get back to me as soon as possible. I will continue to send anything else that I think might be relevant.

I have cc'd Thelma Murphy.

Best,

Megan

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Megan Ottens- Sargent

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On Wed, Mar 27, 2019 at 2:05 PM Megan Sargent  
<[m.ottens.sargent@gmail.com](mailto:m.ottens.sargent@gmail.com)> wrote:

Hi Thelma - Here is a link to Lot 7 & 5 - combined, just under 6 acres.

Addresses:

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Megan Ottens- Sargent

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[www.sargentgallery.org](http://www.sargentgallery.org)